

Effective 5/10/2016

26-7-8 Syringe exchange and education.

- (1) The following may operate a syringe exchange program in the state to prevent the transmission of disease and reduce morbidity and mortality among individuals who inject drugs, and those individuals' contacts:
 - (a) a government entity, including:
 - (i) the department;
 - (ii) a local health department, as defined in Section 26A-1-102;
 - (iii) the Division of Substance Abuse and Mental Health within the Department of Human Services; or
 - (iv) a local substance abuse authority, as defined in Section 62A-15-102;
 - (b) a nongovernment entity, including:
 - (i) a nonprofit organization; or
 - (ii) a for-profit organization; or
 - (c) any other entity that complies with Subsections (2) and (3).
- (2) An entity operating a syringe exchange program in the state shall:
 - (a) facilitate the exchange of an individual's used syringe for one or more new syringes in sealed sterile packages;
 - (b) ensure that a recipient of a new syringe is given verbal and written instruction on:
 - (i) methods for preventing the transmission of blood-borne diseases, including hepatitis C and human immunodeficiency virus; and
 - (ii) options for obtaining:
 - (A) services for the treatment of a substance use disorder;
 - (B) testing for a blood-borne disease; and
 - (C) an opiate antagonist under Chapter 55, Opiate Overdose Response Act; and
 - (c) report annually to the department the following information about the program's activities:
 - (i) the number of individuals who have exchanged syringes;
 - (ii) the number of used syringes exchanged for new syringes; and
 - (iii) the number of new syringes provided in exchange for used syringes.
- (3) No later than October 1, 2017, and every two years thereafter, the department shall report to the Legislature's Health and Human Services Interim Committee on:
 - (a) the activities and outcomes of syringe programs operating in the state, including:
 - (i) the number of individuals who have exchanged syringes;
 - (ii) the number of used syringes exchanged for new syringes;
 - (iii) the number of new syringes provided in exchange for used syringes;
 - (iv) the impact of the programs on blood-borne infection rates; and
 - (v) the impact of the programs on the number of individuals receiving treatment for a substance use disorder;
 - (b) the potential for additional reductions in the number of syringes contaminated with blood-borne disease if the programs receive additional funding;
 - (c) the potential for additional reductions in state and local government spending if the programs receive additional funding;
 - (d) whether the programs promote illicit use of drugs; and
 - (e) whether the programs should be continued, continued with modifications, or terminated.
- (4) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, specifying how and when an entity operating a syringe exchange program shall make the report required by Subsection (2)(c).

Enacted by Chapter 269, 2016 General Session